

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

05.03.2024
Court No.1
Item. 15
(Suvendu)

CRM(NDPS) 42 OF 2024

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Alipurduar Jn. GRPS No. 01 of 2021 dated 05.02.2021 under Section 20(b)(ii)(c) of the NDPS Act, 1985 corresponding to NDPS Case No. 04 of 2021 pending before the learned Additional Session Judge, 1st Court at Jalpaiguri.

And

In the matter of: Fajle Miya

.Petitioner.

Mr. Supratim Nag

For the Petitioner.

Mr. Ujjwal Luksom
Mr. Sourav Ganguly

For the State.

1. None of the points raised on behalf of the petitioner are corroborated from the Case Diary. The first point of charges being framed without the CFSL Report is belied by the supplementary charge-sheet which contains a CFSL Report. The second point of the seizure being made in the absence of independent witness is also shown to be contrary from the material part of the Case Diary.
2. We are hence not inclined to allow the prayer for bail
3. CRM(NDPS) 42 of 2024 is accordingly rejected.

(PRASENJIT BISWAS, J.)

(MOUSHUMI BHATTACHARYA,J.)

